


UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

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|-----------------------------|---|--------------------------------------|
| FRANCISCO CERVANTES, ET AL. |) | Case No: C08-3817 JW |
| |) | |
| Plaintiffs, |) | ORDER DENYING STIPULATION TO |
| |) | CONTINUE THE DEADLINE TO FILE |
| vs. |) | THIRD AMENDED COMPLAINT |
| |) | |
| LIU CHENG, INC., ET AL. |) | |
| |) | |
| Defendants |) | |

Presently before the Court is the parties' Stipulation to Continue Deadline for Plaintiffs to file their Third Amended Complaint which was due on **June 15, 2009** pursuant to the Court's May 28, 2009 Order. (See Docket Item No. 30.) The Court **DENIES** this Stipulation because (1) the Stipulation was filed on June 19, 2009, four days *after* the deadline for filing the Third Amended Complaint had passed and (2) although Plaintiffs' counsel may have had a computer problem, there is no excuse for not being able to file the Third Amended Complaint as a *separate* docket entry since the Third Amended Complaint was attached as Exhibit 1 of Plaintiffs' Motion for Leave. (See Docket Item No. 26.)

Accordingly, the Court **ORDERS** that Plaintiffs' counsel file his Third Amended Complaint by June 19, 2009. Failure to do so may warrant sanctions.

Dated: June 19, 2009



JAMES WARE
United States District Judge